

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

RODDY PIPPIN

V.

DOUG DRETKE, ET AL.

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CIVIL ACTION NO. G-06-316

OPINION AND ORDER


Before the Court is a Report and Recommendation from the United States Magistrate Judge dated December 4, 2006, which recommends that the request for injunctive relief of Plaintiff, Roddy Pippin, be denied. Pippin has filed objections to the Report and Recommendation.

After *de novo* review of the tape recordings of the Evidentiary Hearings before the Magistrate Judge, this Court agrees with the Magistrate Judge that there is sufficient evidence that Pippin may be contributing to his alleged medical problems which precludes the issuance of a preliminary injunction. Therefore, the objections of Pippin are **REJECTED** and the Report and Recommendation of the Magistrate Judge is **ACCEPTED** by this Court in its entirety and incorporated by reference herein.

Accordingly, it is the **ORDER** of this Court that the pretrial request of Plaintiff, Roddy Pippin, for a preliminary injunction (Instrument no. 2) is **DENIED**.

It is further **ORDERED** that this cause is **RETURNED** to the Magistrate Judge with the **INSTRUCTION** that is be given preferential consideration for final disposition.

DONE at Galveston, Texas, this 10th day of January, 2007.



Samuel B. Kent
United States District Judge